

SENATOR FIELD

Sent up the following minority report on Senate bill No. 197:

COMMITTEE ROOM, }
AUSTIN, February 17, 1887. }
Hon. T. B. Wheeler, President of the Senate:

The undersigned minority of your Committee on Penitentiaries, to whom was referred Senate bill No. 197, dissenting from the views of a large majority of your committee, beg leave to submit this, my minority report:

The object of the bill is to prevent the concentration of large numbers of convicts in any one locality in the State. I believe that the citizen who pays his taxes and obeys the laws is entitled to the protection of the laws. That large numbers of convicts should not be concentrated in the vicinity of towns, and in the most populous sections of the State. That such policy on the part of the State is to be condemned, in that it destroys the legitimate trade of towns, endangers the lives and property of citizens and debases public morals by liberating in populous sections numbers of hardened criminals, many of whom remain in the county after being liberated. If it be the policy of the State to continue to work the convicts outside the walls of the penitentiaries, against the protest of the Democratic party, and a large number of the citizens of the State, then I protest against Robertson county being compelled to assume the burden, incur the risk and bear the disgrace of having so large and unjust a proportion of the convicts confined within its boundaries.

Respectfully submitted.

FIELD, for minority.

On motion of Senator Burges,

The Senate adjourned until 10 o'clock to morrow morning.

THIRTY-FIFTH DAY.

SENATE CHAMBER. }
AUSTIN, February 19, 1887. }
The Senate met pursuant to adjournment.
Lieut.-Governor Wheeler in the chair.
Roll called.
Quorum present.
Prayer by the House Chaplain, Dr. Mitchell.

On motion of Senator Gregg,
The reading of the Journal of yesterday was dispensed with.

On motion of Senator Woods,
Senator Garrison was excused for the day, on account of sickness.

On motion of Senator Calhoun,
Senator Camp was excused from yesterday till Monday, on account of important business.

On motion of Senator Houston,
Senator Terrell was excused indefinitely on account of important business.

On motion of Senator Gregg,
Senator Davis was excused till Monday on account of important business.

On motion of Senator Harrison,
Senator Stinson was excused indefinitely.

PETITIONS AND MEMORIALS.

BY SENATOR MACMANUS:

Petition of John D. Bernard and eleven other citizens of Nueces county against the restoration of the civil and criminal jurisdiction of the county court of Nueces county.

Referred to Judiciary Committee No. 1.

And

Petition of Perry Doddridge, three county commissioners and fifty-nine citizens and taxpayers of Nueces county against the restoration of the civil and criminal jurisdiction of the county court of Nueces.

Referred to Judiciary Committee No. 1.

BY SENATOR GLASSCOCK:

Petition of citizens residing within the bounds of the proposed new county of Willie, protesting against the creation of Willie county.

Referred to Committee on Counties and County Boundaries.

And

Petition of citizens of Williamson county against the creation of the county of Willie.

Referred to Committee on Counties and County Boundaries.

BY SENATOR HOUSTON:

The following proceedings and resolutions of a mass meeting, which was ordered printed in the Journal:

MASS MEETING.

A large number of the citizens of Bartlett and vicinity, of Bell and Williamson counties, who live within

the boundaries of the proposed new county of Willie, met at the school house in Bartlett, Thursday night, according to previous announcement. Capt. A. Moss was called to the chair, and M. L. Hair elected secretary. Dr. W. M. Burger was called upon and stated the object of the meeting. Speeches were made by Messrs John T. Bartlett, A. S. R. Belk, Prof. J. T. Wiley and others favoring the proposed new county.

Dr. W. M. Burger offered the following resolution, which was adopted with but three dissenting votes:

Resolved, That we, the citizens of Bartlett and vicinity, of Bell and Williamson counties, who will become citizens of the proposed new county of Willie, endorse the bill introduced by Senator Houston, creating the said new county, and request that our representatives use every honorable means to secure its passage.

On motion, the secretary was instructed to furnish each of our representatives with a copy of the proceedings of the meeting.

A. Moss, chairman.

W. L. HAIR, secretary.

Referred to Committee on Counties and County Boundaries.

BY SENATOR KNITTLE:

Petition of the citizens of Waller county, asking for an appropriation to support the State voluntary guards and militia of the State.

Referred to Committee on Finance.

SENATOR BELL

Petition of citizens of Texas for the establishment of the State Orphan Asylum.

Referred to Committee on State Asylums.

REPORTS OF STANDING COMMITTEES.

BY SENATOR DOUGLASS, OF GRAYSON:

COMMITTEE ROOM, }

AUSTIN, February 18, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Privileges and Elections, to whom was referred House bill No. 34, entitled:

"An act to provide for the election of a district attorney in the Eighteenth judicial district of the State of Texas," have had the same under considera-

tion, and instruct me to report it back to the Senate with the recommendation that it do pass.

DOUGLASS of Grayson, chairman.
Bill read first time.

COMMITTEE ROOM, }

AUSTIN, February 18, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Privileges and Elections, to whom was referred House bill No. 125, entitled:

"An act to provide for a more speedy counting of the vote at special and general elections, and to pay the judges and clerks for the same," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

DOUGLASS of Grayson, chairman.
Bill read first time.

BY SENATOR HARRISON:

COMMITTEE ROOM, }

AUSTIN, February 14, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Private Land Claims, to whom was referred Senate bill No. 58, entitled:

"An act for the relief of James C. Neil, deceased," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

The bill asks that a land certificate for one league of land to be granted to the heirs of deceased.

All of which is respectfully submitted.

HARRISON, chairman.

Bill read first time.

BILLS AND RESOLUTIONS.

BY SENATOR BURNLEY:

A bill to be entitled:

"An act to amend Article 4340 of the Revised Civil Statutes, as amended at the special session of the Eighteenth Legislature," approved February 5, 1884.

Referred to Committee on Roads, and Bridges.

The bill provides that county commissioners' courts may alter, change, discontinue, etc., public roads, "for the purpose of shortening the distance from the point of beginning to the point of destination, or to put the same on better ground."

BY SENATOR GREGG:

A bill to be entitled:

"An act for the relief of W. L. Holland."

Referred to Judiciary Committee No. 1.

BY SENATOR BELL:

A bill to be entitled:

"An act to provide for the purchase of a site for, and the establishment, location, construction and maintenance of, State Orphan Asylum."

Referred to Committee on State Asylums.

The bill provides that such asylum shall be located within five miles of the city of Austin, and shall be for the maintenance of each indigent orphans and other children as have no means of support. The Governor shall appoint three Commissioners, who shall select the site for the asylum, who shall receive \$5 per day and actual expenses, etc. The Governor shall appoint a board of managers for the asylum, etc., who shall appoint a superintendent, etc., the superintendent not to be paid more than \$1200 per annum. There shall be a matron, not to be paid more than \$45 per month. That \$6,000 be appropriated to purchase suitable property, to contain not less than fifty nor more than one hundred acres of land, etc. That \$1500 be appropriated to buy stock, farming utensils, etc.

BY SENATOR GLASSCOCK:

Resolved, That on and after the 21st day of February, 1887, the Senate have afternoon sessions.

Ordered to lie over under the rules.

BY SENATOR LANE:

A bill to be entitled:

"An act to amend chapter 26, title 36, of the Revised Civil Statutes of the State of Texas, by adding thereto Article 2143a."

Referred to Judiciary Committee No. 1.

The bill provides that an execution of administrator controlling the estate, consisting of money or personal property belonging to any minor, the county judge shall require such money to be deposited with the clerk of the county court, and such personal property shall be sold as prescribed by the court, and proceeds thereof in money shall be deposited with the county

clerk; the said county clerks shall deposit such funds with the county treasurer; such money shall be held by the county treasurer, subject to the order of the court; the estate shall thus be closed, etc.

BY SENATOR BURNEY:

An act to be entitled:

"An act to authorize the sale of real estate bought in by the State at tax or execution sale."

Referred to Committee on Finance.

The Senate resumed consideration of substitute Senate bill No. 22, (the railway commission bill) with Senator Lane's amendment pending.

On motion of Senator Glasscock, Consideration of the bill was postponed till Monday after morning call.

SENATOR POPE,

By leave,

Sent up the following committee report:

COMMITTEE ROOM, }

AUSTIN, February 18, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Public Lands, to whom was referred Senate bill No. 219, entitled:

"An to provide for the sale and lease of all the public lands and of all lands heretofore or hereafter surveyed and set apart for the benefit of the common schools, the University and the several asylums, and to prevent the free use or unlawful enclosure of such lands," have had the same under consideration, and instruct me to report it back, with the accompanying substitute, with the recommendation that it do pass.

All of which is respectfully submitted.

POPE, chairman.

Bill and committee substitute read first time.

SENATOR HOUSTON

Gave notice of intention to file minority report on this bill.

Senate bill No. 50,

"An act to require railway companies to give their employes thirty days notice before reducing their wages, and to provide a remedy for the violation thereof," was taken up, read third time and passed by the following vote:

YEAS—18.

Abercrombie,	Gregg,
Allen,	Harrison,
Armistead,	Jarvis,
Burges,	McDonald,
Burney,	MacManus,
Calhoun,	Pope,
Field,	Simkins,
Frank,	Upshaw,
Glasscock,	Woodward.

NAYS—7.

Bell,	Knittle,
Douglass of J,	Lane,
Douglass of G,	Woods.
Houston,	

Senate bill No. 77.

"An act to provide for the sale of such appropriated public lands situated in the organized counties of the State of Texas as contain not more than 640 acres," was taken up and read third time.

SENATOR BURNEY

Offered the following amendment:

Amend by saying "once a week," for "four consecutive weeks."

The amendment was adopted by the following vote:

YEAS—22.

Abercrombie,	Glasscock,
Allen,	Gregg,
Armistead,	Harrison,
Bell,	Houston,
Burges,	Jarvis,
Burney,	Knittle,
Calhoun,	Lane,
Douglass of J.,	McDonald,
Douglass of G.,	MacManus,
Field,	Woods,
Frank,	Woodward.

ABSENT—3.

Pope,	Upshaw.
Simkins,	

The bill, as amended, passed.

Senate bill No. 134.

"An act to amend Article 568, title 20, chapter 2, of an act to adopt and establish the Revised Civil Statutes of the State of Texas," was taken up, and read third time, and

Passed by the following vote:

YEAS—20.

Abercrombie,	Calhoun,
Allen,	Douglass, of J.,
Bell,	Douglass, of G.,
Burges,	Field,
Burney,	Frank.

Lane,	Glasscock,
McDonald,	Gregg,
MacManus,	Harrison,
Woods,	Jarvis,
Woodward,	Knittle,

NAYS—2.

Armistead,	Houston.
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ABSENT—3.

Pope,	Upshaw.
Simkins,	

Senate bill No. 143:

"An act to turn over to the Regents of the State University the University lands," was taken up and read third time.

SENATORS HOUSTON AND GREGG

Made speeches in opposition to the bill.

SENATORS BURNEY, GLASSCOCK AND WOODS

Made speeches in favor of the bill.

SENATOR HARRISON

Offered the following amendment:

Amend section 5 by striking out "seven sections," and inserting "four sections."

Adopted by the following vote:

YEAS—22.

Abercrombie,	Glasscock,
Allen,	Gregg,
Armistead,	Harrison,
Bell,	Jarvis,
Burges,	Knittle,
Burney,	MacManus,
Calhoun,	Pope,
Douglass of J.	Simkins,
Douglass of G,	Upshaw,
Field,	Woods,
Frank,	Woodward.

NAYS—1.

Houston.

ABSENT—2.

Lane,	McDonald.
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SENATOR HARRISON

Offered the following amendment:

Amend section 5, by adding "that said lands shall not be leased for less than four cents per acre, and such leases shall not be of longer duration than five years."

SENATOR BURNEY

Opposed the amendment.

SENATOR ALLEN

Moved to amend the amendment as follows:

Provided, That the party who leases shall have preference of releasing if lands are continued to be leased.

Accepted.

The amendment, as amended, was adopted by the following vote:

YEAS—19.

Abercrombie,	Harrison,
Allen,	Jarvis,
Armistead,	Knittle,
Bell,	McDonald,
Douglass of J,	MacManus,
Douglass of G,	Pope,
Field,	Upshaw,
Frank,	Woods,
Glasscock,	Woodward,
Gregg,	

NAYS—6.

Burges,	Houston,
Burney,	Lane,
Calhoun,	Simkins.

SENATOR HOUSTON

Offered the following amendment:

Add after the word "university," wherever it appears in the bill the words "Lunatic, Blind, Deaf and Dumb and Orphan asylums," and amend caption so as to conform to same.

The amendment was lost by the following vote:

YEAS—3.

Gregg,	Stinson.
Houston,	

NAYS—22.

Abercrombie,	Harrison.
Allen,	Jarvis,
Armistead,	Knittle.
Bell,	Lane,
Burges,	McDonald,
Burney,	MacManus,
Douglass of J,	Pope,
Douglass of G,	Simkins,
Field,	Upshaw.
Frank,	Woods.
Glasscock,	Woodward.

ABSENT—none.

SENATOR GLASSCOCK

Moved the main question on the bill.

Seconded, and the main question ordered.

The bill as amended was passed.

SENATOR STINSON

Moved to reconsider the vote by which the bill was passed.

On motion of Senator Burney,

The motion to reconsider was laid on the table.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
AUSTIN, February 19, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—I am directed to inform the Senate that the House has adopted the Senate Concurrent Resolution, amending Joint Rule No. 6, of the Joint Rules of the two houses.

Also,

That the House has passed the following bills:

House bill No 98:

"An act to punish the crime of teaching polygamous doctrines or principles and of persuading persons to emigrate for the purpose of practicing the same."

House bill No. 112:

"An act to prevent the detention of any railroad passenger train, or construction train running upon any railroad in this State, or any injury thereto, or to the track or other property of any railroad in this State, and to prescribe the punishment therefor."

Also,

Senate bill No. 2:

"An act to restore to and confer upon the county courts of Live Oak, Karnes and Throckmorton counties the civil and criminal jurisdiction heretofore belonging to said courts under the Constitution and general statutes of the State; to conform the jurisdiction of the district courts of said counties to such change, and to repeal all laws in conflict with the provisions of this act."

WILL LAMBERT,
Chief Clerk House of Representatives.

THE PRESIDENT

Referred House bill No. 98 and House bill No. 112 to Judiciary Committee No. 2.

Senate bill No. 155:

"An act to amend Article 2219, chapter 2, title 38, of the Revised Civil Statutes of the State of Texas," was taken up, read third time and passed.

The following reports were sent up, by leave:

BY SENATOR DOUGLASS OF JEFFERSON:

COMMITTEE ROOM, }
AUSTIN, February 18, 1887. }
Hon. T. B. Wheeler, President of the
Senate:

Sir—Your Committee on Public Health to whom was referred Senate bill No. 153, entitled:

"An act to regulate the practice of pharmacy in the State of Texas," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

DOUGLASS, of Jefferson,
Chairman.

Bill read first time.

SENATOR BURNEY

Gave notice of intention to file minority report.

BY SENATOR MACMANUS:

COMMITTEE ROOM, }
AUSTIN, February 18, 1887. }
Hon. T. B. Wheeler, President of the
Senate:

Sir—Your Committee on Stock and Stockraising, to whom was referred Senate bill No. 154, entitled:

"An act to amend chapter 103. An act supplemental to and amendatory of act entitled, 'an act to amend chapter 79 of the acts 1883, entitled an act to amend section 46 of an act to encourage stockraising and to protect stockraisers, approved April 22, 1879, and amended April 4, 1881, and April 12, 1883, and as amended at the present session of the Legislature, passed by the Nineteenth Legislature, and approved March 31, 1885," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

MACMANUS, chairman.

Bill read first time.

BY SENATOR ARMISTEAD,

By leave:

A bill to be entitled:

"An act to amend Article 4702, chapter 3, title 95, of the Revised Civil Statutes, relating to the oath administered by assessors of taxes to persons rendering property for taxation."

Referred to Committee on Finance.
On motion of Senator Knittle,
Senate bill No. 144 was taken up and

made the special order for Wednesday next, after morning call.

House bill No. 51:

"An act to amend Article 318, chapter 4, title 9, of the Penal Code of the State of Texas," was taken up and read third time.

SENATOR LANE

Offered the following amendment to bill:

Amend by striking out all that makes a part of the penalty confinement in the county jail.

Senators Lane and Pope spoke in favor of the amendment.

SENATOR BURNEY

Opposed the amendment.

SENATOR HOUSTON

Favored the amendment.

Senators Frank, Calhoun and MacManus opposed the amendment.

SENATOR STINSON

Opposed the bill.

SENATOR GREGG

Moved the previous question on the amendment and the bill.

Seconded, and

Main question ordered.

The amendment was lost by the following vote:

YEAS—10.

Armistead,	Houston,
Bell,	Lane,
Burges,	Pope,
Douglass of J,	Stinson,
Glasscock,	Upshaw.

NAYS—16.

Abercrombie,	Harrison,
Allen,	Jarvis,
Burney,	Knittle,
Calhoun,	McDonald,
Douglass of G,	MacManus,
Field,	Simkins,
Frank,	Woods,
Gregg,	Woodward.

SENATOR HOUSTON

Moved a call of the Senate.

Call sustained.

Roll called, and Senate was found to be full.

On motion of Senator Frank,

The call was suspended.

The bill was passed, as amended, by the following vote:

YEAS—17.

Abercrombie,	Harrison,
Allen,	Jarvis,
Burney,	Knittle,
Calhoun,	McDonald,
Douglass of G,	MacManus,
Field,	Simkins,
Frank,	Woods,
Glasscock,	Woodward,
Gregg,	

NAYS—9.

Armistead,	Lane,
Bell,	Pope,
Burges,	Stinson,
Douglass of J,	Upshaw,
Houston,	

On motion of Senator Frank the Senate went into Executive Session to consider the appointments of the Governor.

IN THE SENATE.

On motion of Senator Houston the confirmations were ordered printed in the Journal and the Governor notified of the same.

The Senate advises and consents to the appointment of Thos. J. Goree to be Superintendent of the State penitentiaries.

The Senate advises and consents to the appointment of Ben. E. McCullough to be Assistant Superintendent of the Huntsville penitentiary.

The Senate advises and consents to the appointment of W. W. Merritt to be inspector of the State penitentiaries.

The Senate advises and consents to the appointment of Walter Tips, C. C. Dibrell and Galen Crow to be Commissioners of the State penitentiaries.

The Senate advises and consents to the reappointment of

T. D. Wooten, M. D., of Travis county.

T. M. Harwood of Gonzales county, and

E. J. Simkins of Navarro county.

And to the appointment of

W. L. Prather of McLennan county, as

Regents of the University of Texas.

On motion of Senator Houston,

The message of the Governor on the Judiciary Article was made the special order for Tuesday next, after morning call.

On motion of Senator Houston, Senate joint resolution No. 3, was

taken up and made the special order for Wednesday next after morning call.

SENATOR HARRISON,

By leave:

Sent up the following committee reports:

COMMITTEE ROOM, }

AUSTIN, February 18, 1887. }

Hon. T. B. Wheeler, President of the Senate.

Sir—Your Committee on Counties and County Boundaries, to whom was referred House bill No. 90, entitled:

"An act establishing the manner of ascertaining the boundaries of counties, and repealing all laws and parts of laws in conflict with this act," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass, with the accompanying amendments.

HARRISON, chairman.

COMMITTEE AMENDMENTS TO HOUSE BILL NO. 90.

First amendment:

Add to section 1, "And shall in all things conform to the law defining the boundaries of said county."

Second amendment:

Add to section 6, "which shall thereafter be the true boundary line between the counties."

Third amendment:

Strike out words "prima facie," in line 7, in section 7.

Fourth amendment:

Add to section 11, "provided that in all cases where any county boundary in this State has been established under the act of April 22, 1879, and the act of March 18, 1885, amendatory thereof, or either of said acts, be and the same are hereby validated."

Bill read first time.

COMMITTEE ROOM, }

AUSTIN, February 18, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Counties and County Boundaries, to whom was referred House bill No. 88, entitled "An act to establish the western boundary of Edwards county," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

HARRISON, chairman.

Bill read first time.

On motion of Senator Burney,

House bill No. 113.

"An act to divide the western portion of Tom Green county into six new counties," was taken up, and read third time, and

Passed by the following vote:

YEAS—24.

Abercrombie,	Harrison.
Allen,	Houston,
Armistead,	Jarvis,
Bell,	Knittle,
Burney,	Lane,
Calhoun,	McDonald,
Douglass of J,	MacManus,
Douglass of G,	Pope,
Field,	Stinson,
Frank,	Upshaw,
Glasscock,	Woods,
Gregg,	Woodward.

NAYS—none.

ABSENT—2.

Burges, Simkins.

SENATOR CALHOUN

Entered a motion to reconsider the vote by which Senate bill No. 134 was passed

SENATOR POPE,

By leave,
Sent up the following petition and protest, which.

On motion of Senator McDonald,
Was ordered printed in the Journal.

AUSTIN, TEXAS. }

February 19, 1887. }

To the Honorable the Senate of Texas:

The undersigned were recently appointed by District No 78 of the Knights of Labor of the State of Texas as a legislative committee, and under said appointment it is our duty to examine such measures now pending before the Legislature as in our judgment will affect the interests of the workingmen of the State.

In our capacity as such committee, and as the representatives of the Knights of Labor, we respectfully ask leave to enter our protest against the passage of Senate bill No. 22, in which a railway commission composed of three men is sought to be created, and in support of our action, we present the following reasons:

1. The power given to said commission is almost absolute. From their decisions there is practically no appeal permitted. If such arbitrary power is given at all it should never be vested in so small a commission.

2. Should such commissioners, or a majority of them ever become corrupt, the damage that may be done by them to the people of this State is incalculable. As there is no measure to their power, so there would be no measure to any evils that they may choose to inflict. It is a truth of history that men vested with supreme authority have seldom exercised such authority in behalf of the people.

3. We believe it to be the best interest of the State that the Legislature should enact just laws and provide adequate penalties for their violation; that the present maximum freight rates should be greatly reduced; that rebates in favor of large shippers be prohibited and prevented.

4. We have an abiding faith in the courts and juries of the State. The experience of the past has shown that they are the best tribunals for the enforcement of rights and the recovery of damages for wrongs. And if laws be passed prohibiting and punishing the evils now existing in the railway management of this State, we do not doubt but that the courts will be found willing and able to enforce them.

Respectfully submitted.

J. W. STEWART,
C. C. WILSON,
N. P. HOUX,

State Legislative Committee.

Referred to Committee on Internal Improvements.

House bill No. 47.

"An act to amend Article 528, chapter 7, title 15, of the Penal Code," was taken up and read third time.

SENATOR CALHOUN

Offered the following amendment:

Substitute "ten years" for "twelve years."

SENATOR CALHOUN

Explained the amendment, and it was adopted by the following vote:

YEAS—23.

Abercrombie,	Harrison,
Allen,	Houston,
Armistead,	Jarvis,
Bell,	Knittle,
Burges,	Lane,
Burney,	McDonald,
Calhoun,	MacManus,
Douglass of J,	Pope,
Field,	Stinson,
Frank,	Upshaw,
Glasscock,	Woodward.
Gregg,	

NAYS—2.

Douglass of G, Woods.

ABSENT—1.

Simkins.

The bill as amended was
Passed.

THE PRESIDENT

Re-referred House bill No. 75 to Judiciary Committee No. 1.

Senate bill No. 141.

"An act to diminish the civil jurisdiction of the county court of Brazos county, and to conform the jurisdiction of the district court of said county to such change," was taken up on motion of Senator Field, and was read second time.

SENATOR FIELD

Moved to amend section 2 by adding after the word "from," in line 6, the following: "Or the amount in controversy."

Adopted,

And as amended, the bill was ordered engrossed.

On motion of Senator Frank,

Senate bill No. 35 was made the special order for Thursday morning, the 24th instant, after morning call.

On motion of Senator Pope,

Substitute Senate bill No. 219, (the McDonald land bill) was taken up and made the special order for Wednesday next after morning call, and from day to day till disposed of.

On motion of Senator Pope,

Mr. Hennessey, the Sergeant-at-Arms, was excused till Tuesday morning, on account of important business.

SENATOR WOODS

Moved to adjourn till 10 o'clock Monday morning.

SENATOR POPE

Moved to adjourn till 11 o'clock Monday morning.

The last motion was lost, and

The motion of Senator Woods was adopted, and

The Senate adjourned till 10 o'clock Monday morning.

THIRTY-SIXTH DAY.

SENATE CHAMBER, }

AUSTIN, TEXAS, February 21, 1887. }

The Senate met pursuant to adjournment,

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator McDonald,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator Douglass of Grayson,

Senator Houston was excused till Wednesday on account of important business.

On motion of Senator Frank,

Senator Woodward was excused for one week on account of important business.

On motion of Senator Abercrombie, Senator Upshaw was excused for today, on account of sickness.

On motion of Senator Frank,

The calendar clerk, Mr. Childress, was excused for four days, on account of important business.

SENATOR M'DONALD

Asked to have the journal corrected to show that substitute Senate bill No. 219, (the land bill), had been made the special order for Wednesday and not Monday. (Journal corrected.) The error was a misprint.

REPORTS OF STANDING COMMITTEES.

BY SENATOR BELL:

COMMITTEE ROOM. }

AUSTIN, February 19, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 2, to whom was referred Senate bill No. 211, entitled:

"An act to amend Article 428 of the Penal Code of the State of Texas as amended by the Seventeenth Legislature at the regular session and approved March 15, 1881," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do lie on the table as House bill No. 60, which has been favorably reported by your committee, relates to the same subject matter.

All of which is respectfully submitted.

BELL, chairman.

Bill read first time.

COMMITTEE ROOM, }

AUSTIN, February 19, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 2, to whom was referred Senate bill No. 202, entitled:

"An act to prohibit all persons under the law of this State, who are now or who may hereafter be authorized to celebrate the rites of matrimony, from solemnizing the rites of matrimony between the persons named this act, and